



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

November 3, 2004

Jim Vitali
Tuxis-OHR's Fuel, Inc.
P.O. Box 1747
Meriden, CT 06450-1747

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Notice of Past Violation

Re: Transporting Hazardous Waste in New Hampshire Without a Hazardous Waste Transporter Registration

Dear Mr. Vitali:

The New Hampshire Department of Environmental Services, Waste Management Division ("DES") has documented a violation of the New Hampshire Hazardous Waste Rules relative to the failure of Tuxis-OHR's Fuel, Inc. ("Tuxis") to obtain a New Hampshire Hazardous Waste Transporter Registration prior to transporting hazardous waste in New Hampshire. On October 22, 2004, Tuxis transported hazardous waste, specifically specification used oil, from Bridgeport United Recycling ("Bridgeport"), Bridgeport, CT to United Oil Recovery, Inc. ("United"), 142 River Road, Newington, NH. Tuxis transported hazardous waste from Bridgeport using Bill of Lading Number BOL A 0036889. This Notice of Past Violation ("Notice") is to inform Tuxis that the referenced violation is on file at DES. No further action related to the violation documented in this Notice is required.

This Notice is being sent to inform Tuxis of the violation to help Tuxis prevent similar violations in the future. Enclosed is a summary that lists the past violation. The corrective action to be taken in the future consists of Tuxis registering as a New Hampshire Hazardous Waste Transporter. An application packet is enclosed.

DES recognizes that a great majority of the regulated community wants to prevent pollution and to comply with environmental laws. Tuxis' efforts to correct the referenced violation are appreciated.

A current copy of the New Hampshire Hazardous Waste Rules can be obtained from DES's website at <http://www.des.state.nh.us/rules/hwrules.pdf>, or by contacting the Public Information Center at (603) 271-2975. A current copy of the New Hampshire hazardous waste statute can be obtained from the State of New Hampshire's website at <http://gencourt.state.nh.us/ras/html/indexes/147-A.html>.

If you or your staff have any questions regarding this matter, please feel free to contact Tammy Calligandes at (603) 271-3899.

Sincerely,

COPY

Carl F. Woodbury
Supervisor
Special Investigations Section

CERTIFIED MAIL: 7000 0600 0023 9932 1554

enclosure: Violation Summary, Hazardous Waste Transporter Application Packet, BOL A 0036889

cc: DB - *Hamel - Fixed on original*
Gretchen Rule, DES Legal Unit Administrator
Bill Morris, United Oil Recovery

Violation Summary

Requirement(s) Cited	Description of Violation and Corrective Action Taken
RSA 147-A:6, I A copy of the regulation is attached for your reference.	On October 22, 2004, Tuxis transported hazardous waste in New Hampshire without a valid New Hampshire Hazardous Waste Transporter Registration.